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Attorneys for Defendants
NOVARTIS PHARMACEUTICALS
CORPORATION, NOVARTIS CORPORATION,
and McKESSON CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THERESA WALDON,

Plaintiff,

vs.

NOVARTIS PHARMACEUTICALS
CORPORATION, a Delaware corporation;
NOVARTIS CORPORATION, a New
York corporation; and McKESSON
CORPORATION, a Delaware corporation,

Defendants.

Case No. C 07 1988 MJJ

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR CASE
MANAGEMENT SCHEDULE**

Dept: Courtroom 11, 19th Floor
Judge: Hon. Martin J. Jenkins

1 WHEREAS, on March 28, 2007, plaintiff Theresa Waldon ("Plaintiff") filed her
2 Complaint for Damages in the Superior Court of the State of California in and for the County of
3 San Francisco; and

4 WHEREAS on April 9, 2007, defendants Novartis Pharmaceuticals Corporation and
5 Novartis Corporation filed a Notice of Removal and related documents in this Court; and

6 WHEREAS, on May 4, 2007, Plaintiff filed a Motion to Remand the case to state court;
7 and

8 WHEREAS, defendant McKesson Corporation ("McKesson") was served with the
9 Complaint; and

10 WHEREAS, by stipulation pursuant to Local Rules ("L.R.") 6-1 and 7-12, McKesson was
11 given 10 court days following this Court's order on Plaintiff's Motion to Remand the case to state
12 court to respond to the Complaint; and

13 WHEREAS, on June 18, 2007, this Court issued an order, denying Plaintiff's Motion to
14 Remand; and

15 WHEREAS, on June 28, 2007, in accordance with this Court's April 9, 2007 order, the
16 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative
17 dispute resolution; and

18 WHEREAS, on July 2, 2007, the parties discussed the possibility of a joint motion to
19 transfer the litigation to the Northern District of Georgia, where Plaintiff resides; and

20 WHEREAS, on July 2, 2007, the parties stipulated and prepared a [proposed] order to
21 extend by 30 days all existing obligations, including the date for McKesson's response to the
22 Complaint and the dates set forth in this Court's order, so as to facilitate the resolution of the
23 venue for this litigation; and

24 WHEREAS, on July 9, 2007, the Court issued an order granting such an extension; and

25 WHEREAS, on July 30, 2007, in accordance with this Court's July 9, 2007 order, the
26 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative
27 dispute resolution, and further discussed a transfer of the litigation to federal district court in
28 Georgia as well as the status of the litigation and the possibility of a resolution without further

1 court involvement; and

2 WHEREAS, on July 31, 2007, the parties stipulated and prepared a [proposed] order to
3 extend by 30 days all existing obligations, including the date for McKesson's response to the
4 Complaint and the dates set forth in this Court's order, so as to facilitate the resolution of the
5 venue for this litigation; and

6 WHEREAS, on August 3, 2007, the Court issued an order granting such an extension; and

7 WHEREAS, the parties have continued to have discussions on the possibility of a transfer
8 and of a voluntary dismissal of McKesson Corporation, but have yet to reach agreement (*See*
9 Declaration of Eric G. Lasker ("Lasker Decl."), ¶¶ 2 & 3); and

10 WHEREAS, on August 31, 2007, as provided in the Court's August 9, 2007 Order,
11 McKesson Corporation filed a motion to dismiss; and

12 WHEREAS, on September 4, 2007, as provided in the Court's August 9, 2007 Order, the
13 parties filed their joint ADR certification;

14 WHEREAS, on September 13, 2007, defendants filed a motion pursuant to 28 U.S.C. §
15 1404(a) to transfer the case to the Southern District of Georgia; and

16 WHEREAS, in the event the motion to transfer is granted, there will be no further
17 proceedings in this Court and the pending schedule will become moot. (*See* Lasker Decl., ¶ 4).

18 THEREFORE, pursuant to L.R. 6-1, 6-2 and 7-12 and subject to the approval of the
19 Court, the parties hereby stipulate and agree that there is good cause for an extension of time of
20 the remaining case management dates on the Court's August 3, 2007 Order until such time as the
21 Court has ruled on the motion to transfer.

22 SO STIPULATED;

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28 /////

STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME
Case No. C 07 1988 MJJ

1 Dated: September 13, 2007

SPRIGGS & HOLLINGSWORTH

2
3 By: /S/

Eric G. Lasker

4 Attorneys for Defendants
5 NOVARTIS PHARMACEUTICALS
6 CORPORATION, NOVARTIS
7 CORPORATION, and McKESSON
8 CORPORATION

9 Dated: September 13, 2007

PHILLIPS & ASSOCIATES

10 By: /S/

Lowell Finson

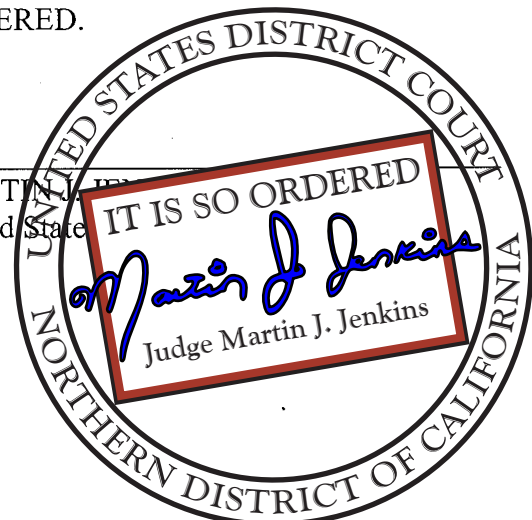
11 Attorneys for Plaintiff
12 THERESA WALDON
13

14 Upon stipulation of the parties and good cause shown, IT IS HEREBY ORDERED that
15 the schedule for completion of initial disclosures and the filing of a case management statement
16 and discovery report time, as set forth in the Court's August 3, 2007 Order is continued until such
17 time as the Court rules on the pending motion pursuant to 28 U.S.C. § 1404(a) to transfer the
18 litigation to the Southern District of Georgia, at which time, if necessary, a new case management
19 schedule will be ordered.
20

PURSUANT TO STIPULATION, IT IS SO ORDERED.
21

22 DATED: September 20, 2007

23 MARTIN J. JENKINS
24 United States District Judge



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STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME
Case No. C 07 1988 MJJ

1 I, Eric G. Lasker, hereby attest that I have obtained consent for, and will maintain on file,
2 all holograph signatures for any signatures indicated by a "conformed" signature ("/S/") within
3 this e-filed document.

4 Dated: September 13, 2007

SPRIGGS & HOLLINGSWORTH

6 By: /S/
Eric G. Lasker

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8 Attorneys for Defendants
NOVARTIS PHARMACEUTICALS
9 CORPORATION, NOVARTIS
CORPORATION, and McKESSON
10 CORPORATION
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